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ORIGINAL
FILED

OCT 28 1976

CLERK, U. S. DIST. COURT
SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEPHANIE KIPPERMAN, on behalf of
herself and all persons similarly
situated,

Plaintiff,

vs.

JOHN McCONE; et al.,

Defendants.

No. C-75-1211-CBR

SECOND CORRECTED

MEMORANDUM OF OPINION

AND ORDER

Plaintiff brought this action on her own behalf and on behalf of all those similarly situated against the United States of America and against numerous present and former federal officials. The original complaint alleged that during the period 1955 through 1973 defendants unlawfully opened the sealed first-class mail plaintiff and other members of the class sent to and received from persons in the Soviet Union, thereby depriving plaintiff and the class members of their rights to free speech, privacy, due process of law, freedom from unreasonable searches and seizures, and communication in private via the mails. Plaintiff sought declaratory and injunctive relief, compensatory and exemplary damages, plus costs of suit and a reasonable attorney's fee.

IT IS HEREBY FURTHER ORDERED that for the reasons discussed above, defendants' motions for dismissal are granted.

IT IS HEREBY FURTHER ORDERED that the Third Amended Complaint, and the claims therein, are dismissed, with the parties to bear their respective costs.

IT IS HEREBY FURTHER ORDERED that counsel for each of the defendants shall promptly prepare an appropriate form of judgment, obtain approval of counsel for plaintiff as to form, and submit it to the Court for execution.

Dated: October 25, 1976.

Charles B. Renfrew

Charles B. Renfrew
United States District Judge

UNCLASSIFIED

CONFIDENTIAL

SECRET

EXECUTIVE SECRETARIAT

Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	S/MC				
4	DDS&T				
5	DDI				
6	DDA				
7	DDO				
8	D/DCI/IC				
9	D/DCI/NIO				
10	GC	X			
11	LC				
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
19	C/IPS				
20					
21					
22					
SUSPENSE		Date			

Remarks:

EXECUTIVE REGISTRY FILE

OJC

1 November 1976